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SWIDLER BERLIN SHEREFF FRIEDMAN, LLP			CHANNAVAJJALA, SRIRAMA T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/076,540	YEE ET AL.
	Examiner Srirama Channavajala	Art Unit 2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 19 February 2002.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-42 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-42 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 19 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings filed on 2/19/2002 are acceptable for examination purpose

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1-2,6-7,17-18,33-34,38-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Bosworth et al., [hereafter Bosworth], US Patent No. 5619688.

4. As to Claim 1, 17, Bosworth teaches a system which including 'receiving a query for data from a database application' [col 1, line 46-51], Bosworth is directed to constructing database queries, more specifically Bosworth teaches database engine is capable of retrieving data from database tables that corresponds to receiving query for data;

'issuing the received query to a database management system' [col 1, line 50-53];

'receiving a response to the query from the database management system, the response indicating a result dataset' [col 1, line 54-59, col 2, line 35-38], Bosworth

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specifically teaches in response to issued query, data from the table or tables is retrieved that corresponds to result dataset;

'creating or updating a database table that is suitable for trend analysis' [col 5, line 23-30, col 8, line 27-38], Bosworth specifically teaches updating database table for example as detailed in fig 8;

'populating or updating the database table with data from the result dataset' [col 8, line 26-28, line 40-47], Bosworth specifically teaches update query prompts user to specify how to update the selected data item or column from database table as detailed in fig 8.

5. As to Claim 2, 7,18, 34, 39, most of the limitations of this claim have been noted in the rejection of Claim 1 above. In addition, with respect to the claimed feature Bosworth disclosed 'analyzing a format of the result dataset' [col 9, line 4-6], Bosworth specifically suggests data is presented in a spreadsheet as detailed in fig 10, also see fig 25-23 that corresponds to specific format; 'creating the database table based on the format of the result dataset or updating an existing database table based on the format of the result dataset' [col 4, line 60-64].

6. As to Claim 6, 38, most of the limitations of this claim have been noted in the rejection of Claim 1 above. In addition, with respect to the claimed feature Bosworth disclosed 'determining whether the result dataset is to be captured for trend analysis' [col 7, line 13-22]; 'wherein the creating or updating step comprises the step of creating

or updating a database table that is suitable for trend analysis, if the result dataset is to be captured for trend analysis' [col 7, line 18-26].

7. As to Claim 33, Bosworth teaches a system which including 'receiving a query for data from a database application' [col 1, line 46-51], Bosworth is directed to constructing database queries, more specifically Bosworth teaches database engine is capable of retrieving data from database tables that corresponds to receiving query for data; 'issuing the received query to a database management system' [col 1, line 50-53];

'receiving a response to the query from the database management system, the response indicating a result dataset' [col 1, line 54-59, col 2, line 35-38], Bosworth specifically teaches in response to issued query, data from the table or tables is retrieved that corresponds to result dataset;

'creating or updating a database table that is suitable for trend analysis, if the database table does not already exist' [col 7, line 41-45], removing selected records that meets the condition specified in a query corresponds to updating or creating data records;

'creating or updating a database table that is suitable for trend analysis' [col 5, line 23-30, col 8, line 27-38], Bosworth specifically teaches updating database table for example as detailed in fig 8;

"populating or updating the database table with data from the result dataset" [col 8, line 26-28, line 40-47], Bosworth specifically teaches update query prompts user

to specify how to update the selected data item or column from database table as detailed in fig 8.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claim 11-16,22-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Rosensteel, Jr. [hereafter, Rosensteel], US Patent No. 6363391.

9. As to Claim 11, Rosensteel teaches a system which including 'a database connectivity layer component operable to provide an interface between a database application and a database' [see Abstract], Rosensteel specifically teaches open database connectivity or ODBC;

'a cover layer between the database connectivity layer component and the database application operable to capture and implement invocations by the database application of functions included in database connectivity layer component that may involve trend analysis [col 4, line 16-31], but pass through to the database connectivity layer component invocations by the database application of functions that do not involve

trend analysis' [fig 1, col 1, line 56-67, col 2, line 55-67], Rosensteel specifically teaches ODBC server component through API that enables to access to information received from ODBC server

10. As to Claim 12, 23, most of the limitations of this claim have been noted in the rejection of Claim 11,22 above. In addition, with respect to the claimed feature Rosensteel disclosed 'receiving a query for data from a database application' [col 6, line 9-11]; 'issuing the received query to a database management system' [see col 6, line 22-26]; 'receiving a response to the query from the database management system, the response indicating a result dataset' [col 6, line 44-49]; 'determining whether the result dataset is to be captured for trend analysis' [col 6, line 58-67]; 'if the result dataset is to be captured for trend analysis: creating or updating a database table that is suitable for trend analysis' [col 7, line 1-10]; 'populating or updating the database table with data from the result dataset' [fig 2, 200-2, 200-3].

11. As to Claim 13, 24, most of the limitations of this claim have been noted in the rejection of Claim 12,23, above. In addition, with respect to the claimed feature Rosensteel disclosed 'analyzing a format of the result dataset' [col 6, line 18-32], 'creating the database table based on the format of the result dataset or updating an existing database table on the format of the result dataset' [col 6, line 35-39].

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12. As to Claim 14, 25, most of the limitations of this claim have been noted in the rejection of Claim 12,23, above. In addition, with respect to the claimed feature Rosensteel disclosed 'populating or updating the database table with data from the result dataset and with timestamp information' [col 6, line 35-39, fig 200-2,200-3].

13. As to Claim 15, 26, most of the limitations of this claim have been noted in the rejection of Claim 24 above. In addition, with respect to the claimed feature Rosensteel disclosed 'for each row of data in the result data table, populating or updating a row in the database table with the row of data and with timestamp information' [col 6, line 53-61].

14. As to Claim 16, 27, most of the limitations of this claim have been noted in the rejection of Claim 12,24 above. In addition, with respect to the claimed feature Rosensteel disclosed 'determining whether the result data table includes all rows of data in the result dataset' [col 5, line 45-51]; 'retrieving all row in the result dataset, if the result data table does not include all rows in the result dataset' [col 5, line 52-60]; 'for each row of data in the result data set, populating or updating a row in the database table with the row of data and with timestamp information' [col 6, 35-39, 62-67].

15. As to Claim 22, Rosensteel teaches a system which including 'a database operable to store and retrieve data' [col 3, line 7-14]; 'a database application operable to utilize the database' col 3, line 20-27]; 'a database connectivity layer operable to provide an interface between the database application and the database '[see fig 1]; 'a database connectivity layer component operable to provide an interface between a database application and a database' [see Abstract], Rosensteel specifically teaches open database connectivity or ODBC; 'a cover layer between the database connectivity layer component and the database application operable to capture and implement invocations by the database application of functions included in database connectivity layer component that may involve trend analysis [col 4, line 16-31], but pass through to the database connectivity layer component invocations by the database application of functions that do not involve trend analysis' [fig 1, col 1, line 56-67, col 2, line 55-67], Rosensteel specifically teaches ODBC server component through API that enables to access to information received from ODBC server

***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

17. Claims 3-5,8-10,19-21,35-37,40-42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bosworth et al., [hereafter Bosworth], US Patent No. 5619688 as applied in claims 1,17,33 above, further in view of Yoshimura et al. [hereafter Yoshimura], US Pub.No. 2001/0051939.

18. As to claim 3,8,19, 35,40 most of the limitations of this claim have been noted in the rejection of Claim 1 above. In addition, with respect to the claimed feature Bosworth disclosed 'updating the database table with data from the result dataset' [col 5, line 23-

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30, col 8, line 27-38], it is however, noted that Bosworth does not specifically teach timestamp information'. On the other hand Yoshimura disclosed 'timestamp information' [fig 1, element 154, and also see virtual table information for updated timestamp 1 and 2].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Yoshimura et al. into constructing database queries using a field selection grid of Bosworth et al. because both Yoshimura and Bosworth are directed to database system, and both directed to querying database tables [see Bosworth: fig 5, col 4, line 7-11; Yoshimura: Abstract, fig 1] and both are same field of endeavor. One of the ordinary skill in the art at the time of applicant's invention to modify Bosworth's fig 4A to incorporate fig 1, element 153 timestamp data of Yoshimura because that would have allowed uses of Bosworth to update queries based on timestamp, further bringing the advantages of maintaining updated records in the database tables as suggested by Yoshimura [see 0011].

19. As to Claim 4,9,20,36,41 most of the limitations of this claim have been noted in the rejection of Claim 3,35 above. In addition, with respect to the claimed feature Yoshimura disclosed 'for each row of data in the result data table, populating or updating a row in the database table with the row of data and with timestamp information' [see fig 1, element 160].

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20. As to Claim 5,10,21,37,42, most of the limitations of this claim have been noted in the rejection of Claim 2,34 above. In addition, with respect to the claimed feature Bosworth disclosed 'determining whether the result data table includes all rows of data in the result dataset' [col 6, line 25-30], spreadsheet format is detailed in fig 15-18; 'retrieving all rows in the result dataset, if the result data table does not include all rows in the result dataset' [col 6, line 18-22];

Yoshimura teaches 'for each row of data in the result data set, populating or updating a row in the database table with the row of data and with timestamp information' [see fig 1, page 2, col 2, 0026].

21. Claims 28-32, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bosworth et al., [hereafter Bosworth], US Patent No. 5619688 in view of Rosensteel, Jr [hereafter Rosensteel], US Patent No. 6363391

22. As to Claim 28,Bosworth teaches a system which including 'a database operable to store and retrieve data' [see Abstract]; 'a database application operable to utilize the database' [col 3, line 1-9];

'receiving a query for data from a database application' [col 1, line 46-51], Bosworth is directed to constructing database queries, more specifically Bosworth teaches database engine is capable of retrieving data from database tables that corresponds to receiving query for data;

'issuing the received query to a database management system' [col 1, line 50-53];

'receiving a response to the query from the database management system, the response indicating a result dataset' [col 1, line 54-59, col 2, line 35-38], Bosworth specifically teaches in response to issued query, data from the table or tables is retrieved that corresponds to result dataset;

'creating or updating a database table that is suitable for trend analysis' [col 5, line 23-30, col 8, line 27-38], Bosworth specifically teaches updating database table for example as detailed in fig 8;

'populating or updating the database table with data from the result dataset' [col 8, line 26-28, line 40-47], Bosworth specifically teaches update query prompts user to specify how to update the selected data item or column from database table as detailed in fig 8.

It is however, noted that Bosworth does not specifically teach 'a trendable database connectivity layer'. On the other hand, Rosensteel disclosed 'a trendable database connectivity layer' [see 1, col 4, line 7-16, line 25-32], Bosworth specifically teaches ODBC server component acts as an application to a standard ODBC driver component as detailed in fig 1.

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Rosensteel into constructing

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database queries using a field selection grid of Bosworth et al. because both Rosensteel and Bosworth are directed to database system [Bosworth: Abstract; Rosensteel: col 4, line 44-50], and both directed to querying database tables [see Bosworth: fig 5, col 4, line 7-11; Rosensteel: col 6, line 53-61] and both are same field of endeavor. One of the ordinary skill in the art at the time of applicant's invention to combine the Bosworth and Rosensteel references because that would have allowed uses of Bosworth to implement standard protocols such as data connectivity protocol, open database connectivity that specifically defines standard interface between applications and data sources bringing the advantages of monitoring and managing quality of database as suggested by Rosensteel [col 2, line 55-67], thus improving the reliability and versatility of the system.

23. As to Claim 29, most of the limitations of this claim have been noted in the rejection of Claim 28 above. In addition, with respect to the claimed feature both Bosworth, Rosensteel disclosed 'analyzing a format of the result dataset' [Bosworth: col 9, line 4-6], Bosworth specifically suggests data is presented in a spreadsheet as detailed in fig 10, also see fig 25-23 that corresponds to specific format; Rosensteel: [col 6, line 18-32], ; 'creating the database table based on the format of the result dataset or updating an existing database table based on the format of the result dataset' [Bosworth :col 4, line 60-64; Rosensteel: col 6, line 35-39].

24. As to Claim 30, most of the limitations of this claim have been noted in the rejection of Claim 29, above. In addition, with respect to the claimed feature Rosensteel disclosed 'populating or updating the database table with data from the result dataset and with timestamp information' [col 6, line 35-39, fig 200-2,200-3].

25. As to Claim 31, most of the limitations of this claim have been noted in the rejection of Claim 29 above. In addition, with respect to the claimed feature Rosensteel disclosed 'for each row of data in the result data table, populating or updating a row in the database table with the row of data and with timestamp information' [col 6, line 53-61].

26. As to Claim 32, most of the limitations of this claim have been noted in the rejection of Claim 29 above. In addition, with respect to the claimed feature Rosensteel disclosed 'determining whether the result data table includes all rows of data in the result dataset' [col 5, line 45-51]; 'retrieving all row in the result dataset, if the result data table does not include all rows in the result dataset' [col 5, line 52-60]; 'for each row of data in the result data set, populating or updating a row in the database table with the row of data and with timestamp information' [col 6, 35-39, 62-67].

## **Conclusion**

## **The prior art made of record**

- a. US Patent No. 5619688
- b. US Patent No 2001/0051939
- c. US Patent No. 6363391

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/872-9306 (Official Communications)

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

sc *AM*  
Patent Examiner.  
September 16, 2004.